

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

ADONIS R. GRADY,

Plaintiff,

v.

STATE OF WISCONSIN,
WISCONSIN DEPARTMENT OF
CORRECTIONS, and ALEX A.
WOUTS,

Defendants.

Case No. 21-CV-923-JPS

ORDER

Plaintiff Adonis R. Grady filed a complaint under 42 U.S.C. § 1983 against Alex A. Wouts (“Defendant Wouts”), as well as against the State of Wisconsin and the Wisconsin Department of Corrections (collectively the “State Defendants”), for violations of Plaintiff’s constitutional rights. ECF No. 1. On October 20, 2023, Plaintiff filed a motion to dismiss, joined by the State Defendants. ECF No. 72. On November 7, 2023, Defendant Wouts filed a letter in opposition to the dismissal. ECF No. 75.

Plaintiff seeks dismissal of this action, with prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(2). Rule 41 provides, in relevant part, that “[e]xcept as provided in Rule 41(a)(1), an action may be dismissed at the plaintiff’s request only by court order, on terms that the court considers proper.” Fed. R. Civ. P. 41(a)(2). Here, despite Defendant Wouts’s objection to the dismissal, the Court finds dismissal of this action to be proper. Defendant Wouts objects to dismissal because he believes the State Defendants’ settlement with Plaintiff indicates his own guilt. However, no

counterclaims have been filed in this case, *see* ECF Nos. 18, 69, and the Court can see no avenue where this case would proceed without Plaintiff prosecuting his case. Based on the motion to dismiss, it is clear that Plaintiff no longer wishes to pursue his claims against any defendant. As such, the Court deems dismissal of this action to be proper and will grant Plaintiff's motion to dismiss and dismiss this case with prejudice.

Accordingly,

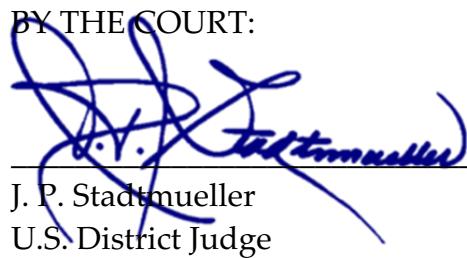
IT IS ORDERED that Plaintiff's motion to dismiss, ECF No. 72, be and the same is hereby **GRANTED**; and

IT IS ORDERED that this case be and the same is hereby **DISMISSED** with prejudice.

The Clerk of Court is directed to enter judgment accordingly.

Dated at Milwaukee, Wisconsin, the 20th day of February, 2024.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge